

**Floyd County Board of Commissioners
Resolution Pertaining to Establishment of Planned Unit Development
(PUD- Villas of Valley View FCPC Docket 01-07-01)**

Whereas, the Floyd County Board of Commissioners met on March 19, 2007, in this matter pursuant to IC 36-7-4-1500; and

Whereas, the Board received from the Floyd County Plan Commission an unfavorable recommendation of the proposed Planned Unit Development (PUD-Villas of Valley View FCPC docket 01-07-01). The zoning classification has amended as follows:

1. The following parcel described as follows: Legal Description Exhibit A, see attached be changed from Residential Suburban to Planned Unit Development PD-RS-01 to permit a unified residential development on a 13.0 acre +/- in accordance with Exhibit B proposed Plan Unit Development Detail Plan, attached, and
2. The land use for this PD-RS-01 shall be limited to a unified residential development as described in the Proposed Plan Unit Development District.
 - i. The Planned Unit Development District PD-RS-01 shall be developed in conformance with the PUD plan, said plan dated October 3, 2006 which was given an unfavorable recommendation at the February 21, 2007, Floyd County Plan Commission meeting. No written commitments or conditions were placed on the applicant's proposed development by the County Commissioners.

Whereas, the Plan Commission held a public hearing on the matter on February 21, 2007, and heard from both proponents and opponents of the proposed Plan Unit Development to the zoning ordinance and zoning map.

NOW, THEREFORE,

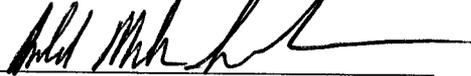
BE IT RESOLVED that Floyd County Zoning Ordinance and Map is amended as indicated on Exhibit A and Exhibit B.

SO RESOLVED this 1 day of MAY 2007.

BOARD OF COMMISSIONERS
COUNTY OF FLOYD



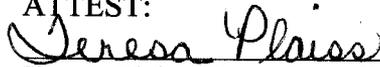
Stephen A. Bush, President



Mark Seabrook, Commissioner

Charles Freiberger, Commissioner

ATTEST:



Teresa Plaiss, County Auditor

Exhibit A

Legal Description

**DESCRIPTION OF A 13.0472-ACRE TRACT
PROPOSED PLANNED UNIT DEVELOPMENT**

DESCRIPTION

Being a part of the west half of the southeast quarter of Section 19, Township 2 South, Range 6 East, situated in Lafayette Township, Floyd County, Indiana, and being further described as follows:

Commencing at a 5/8 inch steel pin on the northwest corner of said west half of the southeast quarter of said Section No. 29; thence South 0° 06' 59" West along the west line of said west half, 1611.02 feet to a 1 inch iron pipe on the southwest corner of Golfland Estates as shown on Plat 846 of the Floyd County, Indiana records; thence North 89° 53' 26" East along the south line of said Golfland Estates, 558.21 feet to a steel pin with cap "Howell", the TRUE POINT OF BEGINNING;

Thence continuing North 89° 53' 26" East along said south line, 520.00 feet to a steel pin with cap "Howell"; thence South 0° 03' 13" West, 250.09 feet to a steel pin with cap "Howell"; thence South 89° 56' 47" East, 253.15 feet to a steel pin with cap "Howell"; thence South 0° 03' 35" West, 50.00 feet to a steel pin with cap "Howell"; thence North 89° 56' 47" West, (passing through the northeast corner of the Deuser Farm as shown on Plat 1206 of the Floyd County, Indiana records at 25.14 feet) 253.14 feet to a steel pin with cap "Gibson" on the northwest corner of said Deuser Farm; thence South 0° 03' 35" West along the west line of said Deuser Farm (passing through a steel pin with cap "Gibson" on the southwest corner of said Deuser Farm at 751.87 feet) 766.79 feet to a steel pin with cap "Howell"; thence South 89° 29' 35" West, 519.94 feet; thence North 0° 03' 13" East, 1070.48 feet to the TRUE POINT OF BEGINNING;

Containing 13.0472 acres and being subject to the right-of-way of Lawrence-Banet Road, a 40 foot wide Electric easement, and all other easements of record.

Exhibit B

Proposed Plan Unit Development Detail Plan: PD-RS-01 Villas of Valley View

1. Residential Suburban Uses:

- a. The Applicant agrees to abide by all the uses expressly listed as permitted or conditional uses in the Residential Suburban Zoning District.

2. Residential Suburban Development Standards:

- a. The applicant agrees to the following the Residential Suburban Development Standards with the following exceptions from the Residential Suburban Development Standards.
 - i. Minimum lot area for the development shall be decreased to minimum lot area to 6,001 square feet lots as depicted on the detailed development plan submitted.
 - ii. Minimum lot frontage will be reduced from 80 feet to the lot frontage depicted on the detailed development plan submitted.
 - iii. Maximum Lot Coverage shall be 60 percent impervious surface.
 - iv. Maximum Primary Structures shall be 4 primary structures on lots 40-44
 - v. Private drive shall be allowed.

3. Written Commitments and Conditions:

The following commitments were made by the applicant pursuant to the detailed development plan.

- a. Written Commitments
 - i. Reservation along Lawrence Banet road for future development of pedestrian connection via either trail or sidewalk.
 - ii. Design of wall system to be compatible with existing neighborhood and detailed landscaping plan prior to secondary approval by County Planner.
 - iii. Final Drainage report to be submitted to County Engineer and County Surveyor for review prior to Secondary Approval.